



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

WALTER E. WHITCOMB
COMMISSIONER

PERMIT

BRIDGE CONSTRUCTION PERMIT BCP 16004

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by Huber Resources Corporation c/o Sylvan Timberlands, LLC for Bridge Construction Permit BCP 16004, finds the following facts:

1. Applicant: Huber Resources Corporation c/o Sylvan Timberlands, LLC
1141 Main Street
P.O. Box 554
Old Town, Maine 04468
2. Date of Completed Application: May 4, 2016
3. Location of Proposal: T 2 R 7 WELS, Penobscot County
4. Zoning: (P-SL1) Shoreland Protection Subdistrict
(P-FP) Flood Prone Areas Subdistrict
5. Waterbody: Mud Brook
6. Approximate Time Period of Operation: July, 2016 – August, 2016

Proposal:

7. The applicant proposes to build a bridge on Mud Brook in T 2 R 7 WELS. The proposed project is to construct a bridge in the location of a previous bridge that was destroyed by an ice jamb. The new bridge will be reconstructed in the same location as the previous bridge. The new bridge will have a span of 66 feet and an overall width of 16 feet. The estimated clearance of the proposed bridge from the normal high water flow will be 5 feet and at high water flow will be 3 feet. An existing gravel road will be improved to access this site. A temporary bridge will be constructed using steel beams, concrete blocks and wooden mats during construction. Clearing of existing vegetation during construction will be minimal. The stream will be accessible for recreational activity (fishing and canoeing) during and after the construction process.
8. The proposed bridge project design and specifications are attached to application BCP 16004.
9. This bridge is being constructed to access over 5000 acres of commercial timberland.

Review comments:

10. The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the project and there were no concerns expressed by the wildlife biologist or the fisheries biologist.
11. The State soil scientist had no concerns due to the fact that this was the site of the previous bridge.
12. The Natural Areas Program reviewed the project and had no concerns.

Findings

13. The bridge construction project would be conducted in conformance with the Standard for Chapter 27, Section 5, Land Management Roads and Water Crossings of the Maine Forest Service Rules for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State.
14. The above finding is based on the representations contained in the Bridge Project Permit Application BCP 16004 and supporting documents.

Based upon the above Findings, the MFS concludes that if carried out in compliance with the conditions below, the proposal will meet the Criteria for Approval, 12 M. R. S. §Section 685-A(1) of the Commission's Statutes, and Chapter 27, Maine Forest Service Rules.

Therefore, the MFS staff approves the application of Huber Resources Corporation c/o Sylvan Timberlands, LLC with the following conditions:

1. Bridge reconstruction authorized in this permit can commence on the effective date of this permit and should be completed within the time outlined in Section 6 above. If such activities are not started and completed within this time period, this permit lapses and no activities may then occur unless and until a new permit or extension to the existing permit has been granted by the MFS.
2. All construction operations shall be stopped where the continuation of such operations will cause or contribute to the occurrence of erosion or the sedimentation of surface waters, whether such occurrence is precipitated by exceptionally wet weather, the failure of water control measures, or other factors. Adequate steps must be taken immediately to stop any erosion or sedimentation of surface waters and to correct the situation that led to such occurrences. The applicant will apply Best Management Practices and erosion control measures to prevent unreasonable sedimentation and protect water resources within the project area.

3. During the removal of the abutments, timber and rock, the use of silt fence and hay bales is required to prevent the discharge of sedimentation into the stream. All debris and fill material must be removed and properly disposed off site.
4. The Standards for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State, Chapter 27, MFS Rule is attached.
5. The period of operations shall be from July, 2016 to August, 2016.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Maine Forest Service review the decision.

If no person requests that the Maine Forest Service review the decision of staff within 30 days of the date of this staff decision, this permit becomes final agency action subject to review of the Maine Administrative Procedure Act. Pursuant to 5 M. R. S. §§ 11001 *et seq.*, a person aggrieved by an MFS permit decision may appeal the MFS's final action to Superior Court. As part of such an appeal, a person aggrieved may seek judicial review of the components of MFS's final action and permitting decision.

DONE AND DATED AT ASHLAND, MAINE THIS 17th DAY OF MAY, 2016.

By:



David Rochester LF #3168
Regional Enforcement Coordinator
Maine Forest Service
45 Radar Road
Ashland, Maine 04732